IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 16-12-2005
Criminal Misc. Bail Application No. 1172 of 2005
Order on the bail application of accused.

CRIMINAL SIDE

1. Goma Ram, S/o Sri Peda Ram, R/o Vill. Bakainiya, P.S. Gadarpur, District Udham Singh Nagar.
2. Jagdish S/o Sri Kashmir Singh, R/o Village Ramnagar, P.S. Bazpur, District Udham Singh Nagar.

…. Applicant (In Jail)

Versus

State of Uttaranchal ..... Opposite Party.

Arising out of Case Crime No 1228/2005
U/Ss 147/148/149/307/506 of I.P.C.
Police Station – Gadarpur,
District Udham Singh Nagar.

By the court

Hon'ble B.S. Verma, J.

Heard Sri Afsar Ali Khan, learned counsel for the applicant and the learned A.G.A. for the State.

The applicants have applied for bail in case crime No. 1228 of 2005, under Sections 147, 148, 149, 307, 506 of the I.P.C. of P.S. Gadarpur district Udham Singh Nagar.

Perused the record. It has been contended by the learned counsel for the applicants that there is cross-version of the case. According to the prosecution version, the accused are said to have been armed with Lathis. The matter as to who was the aggressor party will be decided at the stage of trial.

Considering the fact that there is cross-version of the occurrence, I am of the opinion that it is a case fit for bail.

Let the applicant-accused be released on bail on their executing a Personal Bond and two sureties each in the like amount to the satisfaction of the Chief Judicial Magistrate concerned.

(B.S. Verma J.)

Dated: 16-12-2005